

-PS-O-

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

REGINALD GHAFAR MCFADDEN,

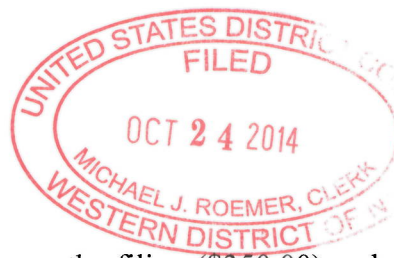
Plaintiff,

-v-

ANTHONY ANNUCCI, et al.,

Defendants.

DECISION AND ORDER
13-CV-0559Sr

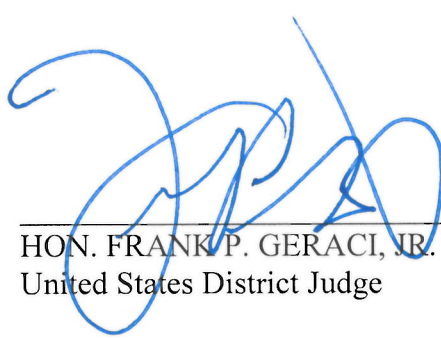


By Order dated February 28, 2014, Plaintiff was directed to pay the filing (\$350.00) and administrative (\$50.00) fees on or before April 11, 2014. (Dkt. # 13.) The Court had determined that Plaintiff had garnered “three strikes” and had not established that he was in “imminent danger of serious physical injury,” *see* 28 U.S.C. § 1915(g), and therefore, could not proceed *in forma pauperis* (Dkt. # 13). Plaintiff filed a Notice of Interlocutory Appeal (Docket No. 14), which the United States Court of Appeals for Second Circuit ordered to be dismissed on June 23, 2014. As Plaintiff has not paid the required fees, and the Second Circuit has dismissed his appeal (Dkt. # 15),

IT IS HEREBY ORDERED that this action is dismissed without prejudice and the Clerk of the Court is directed to take all steps necessary to close this case.

SO ORDERED.

Dated: October 23, 2014
Rochester, New York



HON. FRANK P. GERACI, JR.
United States District Judge